

In the
Indiana Supreme Court



IN THE MATTER OF THE
APPROVAL OF LOCAL RULES
FOR CASS COUNTY

)
)
)
)
)

Case No.

09S00-1009-MS-485

ORDER APPROVING AMENDED LOCAL RULE

The Judges of the Cass Circuit and Superior Courts request the approval of an amended local rule for caseload allocation in accordance with Ind. Administrative Rule 1(E). Attached to this Order is the proposed amended local rule.

Upon examination of the proposed rule amendment requested by the Cass Circuit and Superior Courts, this Court finds that the proposed rule amendment, LR09-AR1-7 complies with the requirements of Ind. Administrative Rule 1(E), and, accordingly, should be approved and posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rule LR09-AR1-7 for Cass County Courts, set forth as an attachment to this Order, is approved effective January 1, 2011. The Clerk of this Court is directed to forward a copy of this Order to the Hon. Leo Burns, Cass Circuit Court, 200 Court Park, Logansport, IN 46947; the Hon. Thomas C. Perrone, Cass Superior Court 1, 200 Court Park, #401, Logansport, IN 46947-3194; the Hon. Richard A. Maughmer, Cass Superior Court 2, 200 Court Park, Courthouse, Logansport, IN 46947-3194; to the Clerk of the Cass Circuit Court; and to the Division of State Court Administration. The Clerk is also directed to post this Order on the Court's website.

The Clerk of the Cass Circuit Court is directed to enter this Order and attachment in the Record of Judgments and Orders for the Courts, to post this Order and attachment for examination

by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website.

DONE at Indianapolis, Indiana, this 8th day of September, 2010.

Rt Shepard
Randall T. Shepard
Chief Justice of Indiana

LR09-AR1-7 Case Allocation Plan

Except as hereafter provided, Class D felony cases shall be filed in Superior Court 1. All misdemeanors and infractions shall be filed in Superior Court 2. All criminal and civil support actions shall be filed in Cass Circuit Court. All other felonies shall be assigned randomly to Cass Circuit Court and Cass Superior Court 2. A defendant having multiple independent criminal actions pending against him may have all criminal actions consolidated in one court per the discretion of the judiciary in this jurisdiction. Where multiple offenses are alleged, the highest class of criminal offense filed against an individual defendant shall control case assignment in accordance with this rule. Cases involving multiple defendants shall be filed in the same court pursuant to this rule for judicial economy.

Cases involving juvenile delinquencies, children in need of services, paternity, guardianships, and adoptions shall be filed in Circuit Court.

Small claims, independent protective order proceedings, and mental health cases shall be filed in Superior Court 1.

All other civil matters not specifically set out above shall be filed in the court requested by initiating counsel.

The sitting judges of this jurisdiction will meet on a regular basis to ensure equality of the judicial workload created by this rule.